



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/720,075	03/22/2002	Dani Zeevi	81337	8855

24628 7590 09/09/2004

WELSH & KATZ, LTD
120 S RIVERSIDE PLAZA
22ND FLOOR
CHICAGO, IL 60606

EXAMINER

ARSHAD, UMAR

ART UNIT	PAPER NUMBER
----------	--------------

2174

DATE MAILED: 09/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/720,075

Applicant(s)

ZEEVI ET AL.

Examiner

Umar Arshad

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 1/25/2001.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 – 6, 8, 11 – 19, 23, 24, and 27 – 40 are rejected under 35 U.S.C. 102(e) as being anticipated by Baker, U.S. Patent No. 6,002,401.

As per claim 1, Baker teaches a method for creating a graphic user interface (GUI) for a computer application, comprising:

defining a relation that associates certain graphic elements with corresponding user interface elements that are linked to functions of the application;

providing an image that includes one or more of the graphic elements at respective locations in the image; and

generating a user interface screen responsive to the image, such that the user

interface elements are mapped to positions on the screen determined by the respective locations of the corresponding graphic elements in the image (see figures 1 and 1a, column 9, lines 15 – 20, column 10, lines 55 – 64, and column 12, lines 44 – 50).

As per claim 2, which is dependent on claim 1, Baker teaches the method of claim 1 (see rejection above). Baker further teaches a method according to claim 1, wherein defining the relation comprises associating graphic elements of a given color with a corresponding one of the user interface elements (see Baker, column 34, lines 22 – 27).

As per claim 3, which is dependent on claim 2, Baker teaches the method of claim 2 (see rejection above). Baker further teaches a method according to claim 2, wherein associating the graphic elements of the given color comprises identifying a certain color with a background region of the user interface screen (see Baker, column 34, lines 22 – 27), and wherein generating the user interface screen comprises displaying the background region as a transparent region (see Baker, column 75, description of "merge_animations" pseudo-code).

As per claim 4, which is dependent on claim 1, Baker teaches the method of claim 1 (see rejection above). Baker further teaches a method according to claim 1, wherein defining the relation comprises associating graphic elements of a given shape with a corresponding one of the user interface elements (see Baker, column 34, lines 22

– 27).

As per claim 5, which is dependent on claim 1, Baker teaches the method of claim 1 (see rejection above). Baker further teaches a method according to claim 1, wherein providing the image comprises changing a graphic quality of one of the graphic elements in the image, and wherein generating the user interface screen comprises changing the corresponding user interface element on the screen responsive to changing the graphic quality, substantially without effect on the function to which the element is linked (see Baker, column 13, lines 47 – 56; it is inherent that by animating the cursor, the function associated with the cursor – i.e. user input – stays the same).

As per claim 6, which is dependent on claim 5, Baker teaches the method of claim 5 (see rejection above). Baker further teaches a method according to claim 5, wherein changing the graphic quality comprises changing the location of the one of the graphic elements, and wherein changing the corresponding user interface element comprises changing the position of the user interface element (see Baker, column 13, lines 47 – 56).

As per claim 8, which is dependent on claim 1, Baker teaches the method of claim 1 (see rejection above). Baker further teaches a method according to claim 1, wherein generating the user interface screen comprises mapping the elements in a manner that is substantially independent of an operating platform on which the

application runs (see Baker, column 14, lines 52 – 64; the Examiner interprets the four basic mappings for interpretation of input as being substantially independent of an operating platform on which the application runs).

As per claim 11, which is dependent on claim 1, Baker teaches the method of claim 1 (see rejection above). Baker further teaches a method according to claim 1, wherein defining the relation comprises defining a relation that is preserved across multiple, different applications (see Baker, column 22, lines 32 – 44).

As per claim 12, which is dependent on claim 1, Baker teaches the method of claim 1 (see rejection above). Baker further teaches a method according to claim 1, wherein providing the image comprises providing a bitmap image, such that the user interface elements are mapped responsive to the bitmap (see Baker, column 10, lines 24 – 35).

As per claim 13, which is dependent on claim 1, Baker teaches the method of claim 1 (see rejection above). Baker further teaches a method according to claim 1, wherein generating the user interface screen comprises building the screen based on the graphic elements, substantially without resort to a textual description of the user interface elements (see Baker, column 12, lines 44 – 53).

As per claim 14, which is dependent on claim 1, Baker teaches the method of

Art Unit: 2174

claim 1 (see rejection above). Baker further teaches a method according to claim 1, wherein generating the user interface screen comprises building the screen based on the graphic elements, substantially without affecting the functions of the application (see Baker, column 12, lines 44 – 53).

As per claim 15, which is dependent on claim 1, Baker teaches the method of claim 1 (see rejection above). Baker further teaches a method according to claim 1, wherein defining the relation comprises associating the graphic elements with respective, predefined user interface objects and altering one of the predefined objects by inheritance thereof (see Baker, column 12, lines 63 – 65).

As per claim 16, which is dependent on claim 1, Baker teaches the method of claim 1 (see rejection above). Baker further teaches a method according to claim 1, wherein generating the user interface screen comprises providing a skin including graphic representations of the user interface elements at the approximate positions to which the graphic elements are mapped (see Baker, column 10, lines 24 – 35).

As per claim 17, which is dependent on claim 1, Baker teaches the method of claim 1 (see rejection above). Baker further teaches a method according to claim 1, wherein defining the relation comprises identifying at least one of the graphic elements with a user interface push button (see Baker, column 10, lines 1 – 5).

As per claim 18, which is dependent on claim 1, Baker teaches the method of claim 1 (see rejection above). Baker further teaches a method according to claim 1, wherein defining the relation comprises identifying at least one of the graphic elements with an area for display of text or graphics associated with the application (see Baker, column 13, lines 1 – 8).

As per claim 19, which is dependent on claim 1, Baker teaches the method of claim 1 (see rejection above). Baker further teaches a method according to claim 1, wherein defining the relation comprises identifying at least one of the graphic elements with a user control for selecting a value of a parameter from a range of values (see Baker, column 10, lines 44 – 54).

As per claim 23, which is dependent on claim 1, Baker teaches the method of claim 1 (see rejection above). Baker further teaches a method according to claim 1, wherein generating the user interface screen comprises altering an appearance of one or more of the user interface elements while the application is running (see Baker, column 11, lines 11 – 14).

As per claim 24, which is dependent on claim 1, Baker teaches the method of claim 1 (see rejection above). Baker further teaches a method according to claim 23, wherein altering the appearance comprises providing multiple different views of the user interface screen (see Baker, column 13, lines 48 – 56).

As per claim 27, which is dependent on claim 23, Baker teaches the method of claim 23 (see rejection above). Baker further teaches a method according to claim 23, wherein the application presents content to the user, and wherein altering the appearance comprises altering the appearance of the one or more user interface elements responsive to a characteristic of the content (see Baker, column 13, lines 36 – 47).

As per claims 28 and 35, they are of similar scope to claim 1 and are rejected under the same rationale (see rejection above).

As per claim 29 and 36, they are of similar scope to claim 2 and are rejected under the same rationale (see rejection above).

As per claim 30 and 37, they are of similar scope to claim 4 and are rejected under the same rationale (see rejection above).

As per claim 31 and 38, they are of similar scope to claim 5 and are rejected under the same rationale (see rejection above).

As per claim 32 and 39, they are of similar scope to claim 8 and are rejected under the same rationale (see rejection above).

As per claim 33 and 40, they are of similar scope to claim 11 and are rejected under the same rationale (see rejection above).

As per claim 34, it is of similar scope to claim 27 and is rejected under the same rationale (see rejection above).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker, U.S. Patent No. 6,002,401 in view of Ishida, U.S. Patent No. 5,684,969.

As per claim 7, which is dependent on claim 5, Baker teaches the method of claim 5 (see rejection above). Baker does not teach the method according to claim 5, wherein changing the graphic quality comprises changing a size characteristic of the

one of the graphic elements, and wherein changing the corresponding user interface element comprises changing a corresponding size characteristic of the user interface element on the screen.

Ishida teaches wherein changing the graphic quality comprises changing a size characteristic of the one of the graphic elements, and wherein changing the corresponding user interface element comprises changing a corresponding size characteristic of the user interface element on the screen (see Ishida, column 5, lines 6 – 8). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Ishida with the method of Baker in order to provide improved user interface navigation for a user.

As per claim 25, which is dependent on claim 24, Baker teaches the method of claim 24 (see rejection above). Baker does not teach a method according to claim 24, wherein providing the multiple different views comprises providing zoom-in and zoom-out views

Ishida teaches providing the multiple different views comprises providing zoom-in and zoom-out views (see Ishida, column 5, lines 6 – 8). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Ishida with the method of Baker in order to provide improved user interface navigation for a user.

Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker, U.S. Patent No. 6,002,401 in view of Mukherjee, U.S. Patent No. 6,314,415.

As per claim 9, which is dependent on claim 1, Baker teaches the method of claim 1 (see rejection above). Baker does not teach a method according to claim 1, wherein generating the user interface screen comprises generating a browser screen on a computer accessing the application remotely via a network.

Mukherjee teaches generating the user interface screen comprises generating a browser screen on a computer accessing the application remotely via a network (see Mukherjee, column 5, lines 62 – 65). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Mukherjee with the method of Baker in order to allow access to the user interface from a remote location.

As per claim 10, which is dependent on claim 9, Baker and Mukherjee teach the method of claim 9 (see rejection above). Baker does not teach a method according to claim 9, wherein generating the user interface screen comprises generating substantially the same user interface on the browser and on a local client of the application.

Mukherjee teaches generating the user interface screen comprises generating substantially the same user interface on the browser and on a local client of the application (see Mukherjee, column 5, lines 62 – 65; it is inherent that user interface is the same on both the browser and a local client of the application because the same

functionality can be accessed). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Mukherjee with the method of Baker in order to provide a consistent interface to the user.

Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Baker, U.S. Patent No. 6,002,401 in view of Holler, U.S. Patent No. 4,721,951.

As per claim 20, which is dependent on claim 19, Baker teaches the method of claim 19 (see rejection above). Baker does not teach method according to claim 19, wherein providing the image comprises providing an input image in which the at least one of the graphic elements includes a range of colors corresponding to the range of values of the parameter.

Holler teaches providing an input image in which the at least one of the graphic elements includes a range of colors corresponding to the range of values of the parameter (see Holler, column 3, line 63 – column 4, line 10). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Holler with the method of Baker in order to provide an improved method of indicating selections to the user.

Claims 21 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Baker, U.S. Patent No. 6,002,401 in view of King et al., U.S. Patent No. 5,491,782.

As per claim 21, which is dependent on claim 19, Baker teaches the method of claim 19 (see rejection above). Baker does not teach a method according to claim 19, wherein providing the image comprises providing an input image in which the at least one of the graphic elements defines a range of positions of a slider corresponding to the range of values of the parameter.

King teaches providing an input image in which the at least one of the graphic elements defines a range of positions of a slider corresponding to the range of values of the parameter (see King, figure 6 and column 5, lines 19 – 30). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of King with the method of Baker in order to provide an improved method of input from the user.

As per claim 22, which is dependent on claim 21, Baker and King teach the method of claim 21 (see rejection above). Baker further teaches method according to claim 21, wherein the at least one of the graphic elements comprises an elongate element that deviates substantially from a straight, linear shape (see Baker, figure 1a, item 20 and column 12, lines 65 – 67; the Examiner interprets a ladder as an elongate element that deviates substantially from a straight, linear shape).

Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Baker, U.S. Patent No. 6,002,401 in view of Crow et al., U.S. Patent No. 6,262,724.

As per claim 26, which is dependent on claim 24, Baker teaches the method of claim 24 (see rejection above). Baker does not teach a method according to claim 24, wherein the application comprises a multimedia player application having multiple channels, and wherein providing the multiple different views comprises associating the different views with different channels of the multimedia player.

Crow teaches a multimedia player application having multiple channels, and wherein providing the multiple different views comprises associating the different views with different channels of the multimedia player (see Crow, figure 4 and column 11, lines 25 – 53). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Crow with the method of Baker in order to provide an improved method of indicating choices to a user.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Umar Arshad whose telephone number is (703) 305-0329. The examiner can normally be reached on Monday - Friday, 9am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L Kincaid can be reached on (703) 308-0640. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

UA

Kristine Kincaid
KRISTINE KINCAID
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100